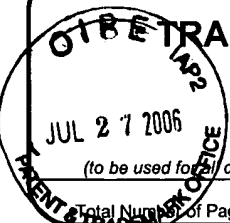
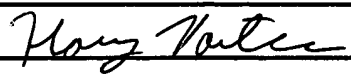


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|---|------------------------|------------------|
|  | Application Number     | 10/772,642       |
|   | Filing Date            | February 5, 2004 |
|   | First Named Inventor   | Stager et al.    |
|   | Art Unit               | 2184             |
|   | Examiner Name          | Not Yet Known    |
| Total Number of Pages in This Submission  | Attorney Docket Number | NET-P01-2289.01  |

| ENCLOSURES (Check all that apply)   |   |   |
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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |   |          |        |
|--------------|---|----------|--------|
| Firm Name    | VOLPE AND KOENIG, P.C.  |          |        |
| Signature    |  |          |        |
| Printed name | Harry Vartanian   |          |        |
| Date         | July 25, 2006   | Reg. No. | 56,787 |

## CERTIFICATE OF TRANSMISSION/MAILING

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| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: |   |      |               |
| Signature  |  |      |               |
| Typed or printed name  | Harry Vartanian   | Date | July 25, 2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the **PATENT APPLICATION** of:

Stager et al.

**Application No.:** 10/772,642

**Confirmation No.:** 5773

**Filed:** February 5, 2004

**For:** METHOD AND SYSTEM FOR  
RESTORING A VOLUME IN A  
CONTINUOUS DATA PROTECTION  
SYSTEM

**Group:** 2184

**Examiner:** Not Yet Known

**Our File:** NET-P01-2289.01

**Date:** July 25, 2006

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
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Sir:

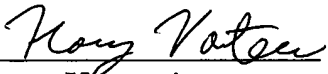
Further to Applicants' Duty of Disclosure pursuant to 37 C.F.R. §1.56,  
Applicants wish to bring to the Examiner's attention the material cited on the enclosed  
PTO-1449 form. Copies of the cited documents are enclosed.

**Applicant: Stager et al.**  
**Application No.: 10/772,642**

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the PTO-1449 form indicating his consideration of the cited materials.

Respectfully submitted,

Stager et al.

By   
Harry Vartanian  
Registration No. 56,787  
(215) 568-6400

Volpe and Koenig, P.C.  
United Plaza, Suite 1600  
30 South 17th Street  
Philadelphia, PA 19103

HV/akg  
Enclosures ( 45 )



|   |  |   |                          |
|---|--|---|--------------------------|
| FORM PTO-1449   |  | ATTY. DOCKET NO.<br>NET-P01-2289.01   | SERIAL NO.<br>10/772,642 |
| DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE                                     |  | APPLICANT<br>Stager et al.  |                          |
|   |  | FILING DATE<br>February 5, 2004   | GROUP<br>2184            |
| INFORMATION DISCLOSURE<br>STATEMENT BY APPLICANT<br><br>(Use several sheets if necessary) |  |   |                          |
| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)                    |  |   |                          |
|   |  | "Alacritus Software's Securitus I: Pointing the Way to Virtual Tape Libraries" Aberdeen Group, Inc., March 2002.  |                          |
|   |  | "Continuous Data Protection: Business Continuity for the Era of Networked Storage: An Executive White Paper" Aberdeen Group, Inc., July 2003.   |                          |
|   |  | "Alacritus Software's Chronospan: Make Time for Continuous Data Protection" Aberdeen Group, Inc., October 2003.   |                          |
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|   |  | "Alacritus, Hitachi CP and Nissho Team to Create Virtual Tape Library Appliance: Industry's First Virtual Tape Library Appliance to Replace Storage Tape Libraries" Alacritus Software, Inc., June 25, 2001.  |                          |
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|          |                 |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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|  |  | APPLICANT<br>Stager et al.   |                          |
|  |  | FILING DATE<br>February 5, 2004  | GROUP<br>2184            |
| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)   |  |  |                          |
|  |  | Camphuisen, Alicia, "Hitachi Inks OEM Deal with Legato" Knapp Comm., July 17, 2002.  |                          |
|  |  | "Alacritus Announces Disk-Based Successor to Tape" Knapp Comm., August 21, 2002.   |                          |
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| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)   |  |   |                          |
|  |  | Baltazar, Henry "Weaving Apps Into SAN Fabric" eWEEK, March 24, 2003.   |                          |
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|  |  | Biggar, Heidi, "Disk and Tape Forge New Partnership in Backup Arena" InfoStor, November 2001.   |                          |
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|  |  | "Strengths: Securitus v. Tape " Alacritus Website, October 2003.   |                          |

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